United Nations A/C.4/71/SR.5

General Assembly
Seventy-first session

Official Records

Distr.: General
6 October 2016

Original: English

Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 5th meeting
Held at Headquarters, New York, on Thursday, 6 October 2016, at 3 p.m.

Chair: Mr. Drobnjak ..... (Croatia)
later: Mr. Poels ..... (Belgium)

Contents

Agenda item 54: Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations (*continued*)*

Agenda item 55: Economic and other activities that affect the interests of the peoples of the Non-Self-Governing Territories (*continued*)*

Agenda item 56: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations (*continued*)*

Agenda item 57: Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories (*continued*)*

Agenda item 58: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*Territories not covered under other agenda items*) (*continued*)

Hearing of petitioners (*continued*)

* Items which the Committee has decided to consider together.

This record is subject to correction.

Corrections should be sent as soon as possible, under the signature of a member of the delegation concerned, to the Chief of the Documents Control Unit (srcorrections@un.org), and incorporated in a copy of the record.

Corrected records will be reissued electronically on the Official Document System of the United Nations (http://documents.un.org/).

16-17331 (E)

Please recycle

The meeting was called to order at 3 p.m.

Agenda item 54: Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations (*continued*) (A/71/23 (chaps. VII and XIII) and A/71/68)

Agenda item 55: Economic and other activities that affect the interests of the peoples of the Non-Self-Governing Territories (*continued*) (A/71/23 (chaps. V and XIII))

Agenda item 56: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations (*continued*) (A/71/23 (chaps. VI and XIII) and A/71/69)

Agenda item 57: Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories (*continued*) (A/71/70)

Agenda item 58: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*Territories not covered under other agenda items*) (*continued*) 58 (A/71/23 (chaps. VIII, IX, X, XI and XIII) and A/71/224)

Hearing of petitioners (*continued*)

1. **The Chair** said that, in accordance with the Committee's usual practice, petitioners would be invited to take a place at the petitioners' table and would withdraw after making their statements. He reminded all speakers to observe decorum, refrain from personal remarks and limit themselves to the agenda items under consideration.

Question of Western Sahara (*continued*) (A/C.4/71/7)

2. **Mr. Joumani**, speaking in his personal capacity as advisor to the President of the National Human Rights Council (CNDH) of Morocco, said that through his work he had gained experience on the ground concerning the human rights situation in the Saharan provinces of Morocco, where CNDH had built a positive relationship with citizens. Its activities in that region included investigating allegations of torture and ill-treatment; handling citizens' complaints about human rights abuses; organizing training courses for national police officers with the aim of further strengthening the existing human rights culture; and encouraging the establishment of new non-governmental organizations (NGOs) and wider involvement in civil society. It was also working to improve the medical, rehabilitation and other facilities available to vulnerable groups in the region, notably migrants and persons with disabilities. He recalled that financial compensation had been awarded to the many thousands in the southern provinces who had suffered during the years of violence, including civilians abducted and oppressed by the Frente Popular para la Liberación de Saguia el-Hamra y de Rio de Oro (Frente Polisario). CNDH was furthermore engaged in observing the current electoral process in those provinces to ensure that it was both transparent and viable.

3. **Mr. Hormat Allah** (Association marocaine pour le développement d'Oued Eddahab) drew attention to the historic new model for the integrated sustainable development of the Saharan provinces, which had been launched in November 2015 with a huge budget allocation for numerous economic sectors that would create thousands of jobs for the region's youth in particular. In addition to preserving and promoting the region's history and its Hassani cultural identity, the model was also focused on such other matters as the development of renewable energies, communication networks, natural resources management and environmental protection; provision of support to productive sectors including phosphates, agriculture, sea fishing and ecological tourism; and the consolidation of human rights in order to further promote trust and democracy. The ambitious model would, he said, enable the country's southern provinces to play their full role as a regional bridge and as an economic hub for Africa with links to Europe. It furthermore attested to the Moroccan commitment to expedite the advanced regionalization that would empower the inhabitants of those provinces to manage their own affairs.

4. **Mr. El Ouali**, speaking in his personal capacity, recalled the Committee's session in 2015 at which one of his colleagues had been interrupted for mentioning the name of the place where family members of hers had been sequestered for 40 years. The representative of the country sequestering them in its territory had not wished its name to be mentioned on the grounds that it was not listed among the 17 Non-Self-Governing Territories under discussion. The issue was, however,

more ethical than procedural, he said. The rules of procedure of the General Assembly should not be manipulated in order to prevent individuals from speaking out about ill-treatment and abuse, above all within the confines of an institution that symbolized democracy, freedom and justice for all. Such behaviour by the country in question was nonetheless scarcely surprising, given that its authorities abused their own population by forcibly inflicting on it one of the world's most secretive and reactionary regimes. The fact was that families were sequestered in vast open-air concentration camps located in the middle of the desert. Cheap tactics could not disguise the human drama occurring daily in the territory of the country to which he had referred.

5. **Mr. Bessedik** (Algeria), speaking on a point of order and calling for compliance with the rules of procedure, said that the present discussion was devoted exclusively to a matter that had been inscribed on the United Nations agenda since 1963, namely Western Sahara. It did not concern the authorities of his country or other matters, nor should any country should be singled out by name.

6. **Mr. Laassel** (Morocco), likewise speaking on a point of order, said the principle of freedom of expression must be protected. Asserting that the subject of discussion was the decolonization of peoples and Territories, he noted that the petitioner had been speaking about the sequestration of his colleague's family in Tindouf, which was in Algeria.

7. **The Chair** repeated his earlier reminder that all speakers should limit themselves to the issue at hand.

8. **Mr. El Baihi**, speaking in his personal capacity, said that a resolution of the question of Western Sahara would remain unattainable unless the United Nations changed its current approach to the issue. The negotiated solution called for in United Nations resolutions between Morocco – a main party to the conflict - and the Frente Polisario would never be realized insofar as the latter had no decision-making power in the matter. The failure of all proposed solutions to date was, he asserted, because the other actual party to the conflict was the neighbouring country that hosted Frente Polisario on its territory and claimed to be no more than an observer State. That country, which he said he had refrained from naming in order to avoid interruption, was quite simply the key obstacle to all solutions on account of its expansionist aims.

9. **Mr. Bessedik** (Algeria), speaking on a point of order, reiterated that the rules of procedure must be followed and that Algeria was not the subject of discussion. Nor was it, he said, the occupier in the region. It was an observer State, as recognized in a United Nations resolution on the subject. The problem of Western Sahara would not be resolved by levelling accusations at Algeria and that intimidation was not the way forward to successful communication. In short, the discussion must not depart from the agenda item under consideration, and he called on the Chair to ensure compliance with the rules of procedure.

10. **Mr. Laassel** (Morocco) said that he had not heard the petitioner mention Algeria by name and recalled that during the 1997 Houston negotiations, the President of Algeria had proposed that the Territory should be shared. Algeria claimed no involvement but nonetheless reacted to all proposals made by the Secretary-General it was well known that the solution to the problem of Western Sahara lay with Algeria and not with a puppet that it controlled for its own ends. It wished to silence petitioners, whereas everyone was in fact free to say whatever they wished at the United Nations.

The meeting was suspended at 3.25 p.m. and resumed at 3.40 p.m.

11. **The Chair** appealed to all petitioners to make their statements with agenda items in mind and in such a way as to enable the meeting to continue uninterrupted, recalling in addition that, pursuant to the rules of procedure of the General Assembly, he was obliged to grant requests for the floor on points of order.

12. **Mr. El Baihi**, resuming his statement, said it was regrettable that speakers should be interrupted in a place that championed freedom of expression. The fact was, however, that the camps were not located in a vacuum but in Tindouf, just as interference with humanitarian aid and gross human rights violations occurred in Tindouf, which was an integral part of Algeria. One way or another, Algeria was involved as a party in the matter at the most fundamental level.

13. **Mr. Dailal**, speaking in his personal capacity, agreed that the obstacle to a political solution to the question of Western Sahara was the neighbouring country of Morocco, which he could not name for fear of being interrupted. Indeed, he had been alerted to that possibility by colleagues who had been interrupted in 2015 for daring to speak the truth and naming that country in referring to the sequestration of their own family members in camps situated in its territory.

14. **Mr. Bessedik** (Algeria), speaking on a point of order, said that petitioners should remember that they were authorized by the members of the Committee to air their points of view and, furthermore, that they spoke in a personal capacity. Hence, they must respect those who had authorized them to speak and limit themselves exclusively to the subject concerned. Either the rules of procedure must be respected or the Legal Adviser must be requested to provide a reminder of the status of petitioners. Western Sahara — not Algeria — was the subject of discussion.

15. **Mr. Laassel** (Morocco) said that petitioners were authorized to speak by all Member States and not simply Algeria, which had no right of veto within the Committee. It would create a dangerous precedent to continue in the present autocratic manner; if petitioners were not permitted to express their points of view, they might as well not speak at all.

16. **The Chair**, reiterating that he was bound by the rules of procedure, which were clear and must be honoured, again appealed to speakers to speak in a fashion that enabled their points of view to be heard on a very important subject without interruption.

17. **Mr. Bessedik** (Algeria) said that his concern in taking the floor was a procedural matter, in that petitioners must restrict themselves to the subject on which they were authorized to speak, namely Western Sahara. Any mention of Algeria was off limits.

18. **The Chair** pointed out that he could not anticipate what petitioners might say and repeated that he was duty-bound to grant requests for the floor on points of order.

19. **Mr. Laassel** (Morocco) stated that it was the responsibility of the Chair to ensure that there were no breaches of the rules of procedure. While he was entitled to suspend the meeting if he so wished, he was not required to give the floor to any person who so requested on a point of order, especially if that person was being abusive. Petitioners were able to say whatever they wished, including about the Tindouf camps in Algeria, which was a party to the conflict. Indeed, it was Algeria that had created the conflict.

20. **The Chair** restated that he was required to grant all requests on point of order. He had no discretion to determine how many points of order a Member State of the United Nations, a universal body, could request; nor was he in any position to deprive a Member State of its rights under the rules of procedure. Similarly, he had no discretion concerning the substance of any statement and could do no more than appeal to speakers to deliver statements that would enable an uninterrupted meeting. His primary duty as a Chair, he said, was to serve as guardian of the rules of procedure.

21. **Mr. Dailal**, resuming his statement, said that he had been born in the Tindouf camps, where he had spent 26 years of his life. Having also studied in Algerian universities, he was very well acquainted with the situation in Western Sahara and had not the slightest doubt that the Algerian Government was a fundamental and indeed influential party in the matter. In particular, it directed the policy and decision-making of the Frente Polisario for the worse.

22. **Mr. Bjornsson**, speaking in his personal capacity, said that reports of the Moroccan exploitation of natural resources in Western Sahara were misleading, as they failed to take into account the correlation between those resources and the country's economic competitiveness. The local population had contributed much to the ongoing Moroccan efforts to develop the Sahara region, which also benefited from the thriving Moroccan fishing industry, including under a European Union agreement. Indeed, the national model of democracy combined with the development-oriented policy pursued by the Moroccan Government had promoted socioeconomic sustainability throughout the country, including in the Sahara region, where living standards were among the country's highest as a result of poverty reduction and infrastructural improvements. Substantial funding would be allocated to the region's further development over the coming five years. Its natural resources were reinvested for its benefit, in consultation with the local population, and managed through its elected parliamentary and local

representatives. The Moroccan autonomy proposal had been conceived, moreover, with a view to further boosting the region's development achievements.

23. **Ms. Scholte**, speaking in her personal capacity as a Seoul Peace Prize laureate, expressed admiration for the late President of the Sahrawi Arab Democratic Republic and appreciation to Secretary-General Ban Ki-moon for having visited the Sahrawi refugee camps, saying that he had correctly described the unacceptable situation in Western Sahara as an occupation and a forgotten humanitarian tragedy. Given the repeated broken promises concerning the referendum on self-determination, the only way forward was to end the illegal Moroccan occupation of Western Sahara. Tragic consequences of the present situation included the continuing atrocities against Sahrawis living in Western Sahara; the inability of an entire generation of youth living in refugee camps to see their homeland; and the plundering of Sahrawi-owned natural resources by the aggressor in the conflict. The unfortunate message conveyed was that that reliance on the rule of law and trust placed in the United Nations would lead to such consequences and that invasion, aggression and violence were the means to achieving goals. She therefore urged all those who believed in the rule of law to join the call for Morocco to withdraw from Western Sahara.

24. **Ms. Van der Plancke** (European Coordination of Support for the Sahrawi People) recalled the Sahrawi fear that, in increasing its dependency on the exploitation of the Territory's natural resources, Morocco would deploy ever more brutal means in order to continue its illegal occupation of Western Sahara. Those considerable resources, including fish and phosphates, were heavily exploited by Morocco, which did nothing in return to enhance the well-being and development of Sahrawis. Such exploitation had been declared a violation of international law, prompting the annulment of a fisheries agreement between the European Union and Morocco. A subsequent declaration by the European Court of Justice that Western Sahara was not part of Morocco and that Morocco had no international mandate to administer it had triggered Moroccan threats to sever relations with the European Union. Morocco had also showed its displeasure with Mr. Ban Ki-moon by expelling personnel working for the United Nations Mission for the Referendum in Western Sahara (MINURSO). The United Nations annually condemned the gross human rights violations against Sahrawis claiming their right to self-determination, she added, with Morocco continuing its intimidation, reprisals and oppression in order to maintain its hold over the Sahara.

25. **Ms. Fergani**, speaking in her personal capacity, referred to the long-standing claim of the people in Western Sahara, whose hopes for freedom and whose confidence in the United Nations had been rekindled when Secretary-General Ban Ki-moon had visited the Sahrawi refugee camps and the liberated territories of Western Sahara in March 2016, and had called for serious negotiations, without preconditions and in good faith, to reach a mutually-acceptable political solution providing for the self-determination of the people of Western Sahara, specifically through the organization of the promised referendum awaited by the people in the last remaining colony in Africa. In short, the only solution for ending the conflict and enabling the Sahrawi people freely to decide their own future was for the United Nations to fulfil its noble mission and to use its influence and power to establish human rights and self-determination for the people of Western Sahara.

26. **Mr. Ahmed** (Sahrawi Student Association), speaking in his personal capacity as a resident of the Smara refugee camp in south-west Algeria, said that he and other young Sahrawis had been in exile for far too long and that it was the Committee's duty to ensure that in the coming year they would be able to choose their own future. The story of his life was typical, he stated. The aunt who raised him had fled Western Sahara for Smara in 1975, following the Green March, while in 1985, during the war between the Frente Polisario and the Moroccan occupying forces, his two uncles had faced the tough choice of either pursuing their higher education or joining in the military fight for freedom. After choosing the latter option, both had soon been killed, one of them by a landmine in the same way as a four-year-old girl who had lost her life only recently. He called on the Committee to help his generation realize his aunt's dream of a better future and an end to the Moroccan occupation of Western Sahara.

27. **Mr. O'Bryan**, speaking in his personal capacity as a Harvard researcher and international human rights expert, said that, as exemplified in Western Sahara, the absence of war did not guarantee the presence of peace. Western Saharans either lived under the brutal repression of the Moroccan occupation or in exile and abject poverty in desert refugee camps in Algeria. MINURSO should be urgently mandated to monitor human rights violations in the same way as all other United Nations peacekeeping missions, particularly in view of the thousands of cases documented by Human Rights Watch in Western Sahara. For its part, the Frente Polisario crushed its critics and prevented refugees from leaving the camps. Denied opportunities and subjected to human rights abuses, Western Saharans could hardly be blamed for their anger at being forgotten by the United Nations and the world's media. The status quo in Western Sahara was unsustainable, with too many of its youth feeling betrayed. United Nations documentation of the violence would be a start, however, to ending the impunity and injustice, for justice was not the precondition for peace but its essence.

28. **Mr. Bouad** (Sahrawi Students' Union) said that, notwithstanding its killing of a four-year-old girl only a few days previously with one of its landmines in Western Sahara, Morocco would never kill the struggle for self-determination. As a Sahrawi refugee in Algeria, his intention was to speak freely and dispel the lies about the essential matter of the decolonization of Western Sahara. By any standard of international law, the Moroccan presence in Western Sahara could only be described as an occupation, as indeed Mr. Ban Ki-moon had himself stated. Morocco had violated the ceasefire agreed in 1991 with the Frente Polisario and expelled MINURSO personnel, thereby posing a threat to stability and peace in the region that should have prompted deterrent action by the United Nations, in particular the Security Council. Instead, however, the United Nations had simply expressed its usual profound concern, which sent a message of failure or ineffectiveness on its part. Regrettably, he warned, the Sahrawi people therefore felt that the only path remaining to their freedom was to take up arms.

29. **Ms. Emhamed**, speaking in her personal capacity as a liberal arts student, said that she herself had grown up in the refugee camps with the hope of returning to her homeland and living with dignity in an independent country, a hope that was now fading. First, the prolonged efforts of the United Nations concerning the promised referendum on self-determination had apparently ceased and secondly, the Moroccan Government was seemingly delaying negotiations with the Frente Polisario in its own interest. Given the 41 years of failure to achieve a peaceful solution, the only reasonable way forward for the Sahrawi youth was perhaps to resume the armed struggle. Thanks to support from such countries as France, however, Morocco had escaped with impunity for its illegal exploitation of the natural resources of Western Sahara and its well-documented violation of the rights of the Sahrawi people. The United Nations must vindicate the hope, patience and trust placed in it by Sahrawis by speeding up resolution of the conflict over Western Sahara, securing their fundamental right to self-determination and holding the Moroccan Government accountable for its wrongdoings.

30. **Mr. Manzo Ramirez**, speaking in his personal capacity as a student and supporter of the Sahrawi people, said that the Sahrawi people were among the world's most underrepresented groups and lacked the human rights protection normally afforded to citizens of the world's sovereign nations. That situation would continue as long as the Sahrawi people remained part of a State that did not represent them and that subjected them to tyranny and colonization. Similarly, the world could not claim to defend the human rights of the Sahrawi people as long as it supported the political power of a State that illegally occupied a region and continued to abuse the people in that region in furtherance of its economic and expansionist ambitions. A just society would be achieved for the Sahrawi people through international recognition of their sovereignty by way of a referendum on their self-determination, which was the way forward to peace and an end to the conflict. Failure to allow the Sahrawi people to exercise their right to self-determination would also signal the failure of the United Nations to achieve its goals of achieving international peace and human rights protection.

31. **Ms. Bachir** (Sahrawi Women in the United States of America) said that, as a 25-year-old Sahrawi student from the refugee camps, she spoke on behalf of the voiceless people of Western Sahara. Throughout her life, her people had been suffering in desert refugee camps or under Moroccan occupation. While she had

been fortunate enough to study abroad, the more she learned about international law simply increased her frustration and disappointment at the failure of the United Nations to fulfil its duty. Youth accounted for almost three quarters of the Sahrawi population but they faced a lack of opportunities and jobs on completing their education, causing them to lose hope and question the value of that education as a realistic means of reaching their collective goal. Their elders now struggled to convince them of the validity of a peaceful approach. Sahrawi youth were frustrated and angry at the prospect of being unable to exercise their right to self-determination. To deny that right was to diminish the credibility of the United Nations among the Sahrawi people and indeed the international community.

32. **Ms. Aït-Baala** (EuroMed-CDC), noting that the issue of natural resources was now being politicized following the failure to politicize human rights, said that the ruling of the European Court of Justice already mentioned by some speakers in no way vested the Frente Polisario with the right to represent any specific population and furthermore held that the territorial application of agreements to the Sahara raised no doubts about international legality. Any flaw in those agreements was due to no more than an error of assessment, she added. Morocco complied fully with the principle articulated in Article 73 of the Charter of the United Nations concerning the paramount interests of the inhabitants of Non-Self-Governing Territories, which was rare insofar as many independent countries in fact enjoyed no sovereignty over their natural resources. As part of its integrated approach to development, Morocco had moreover allocated a substantial budget to the development of the Sahara, with a sociocultural focus. She highlighted in addition the high voter turnout invariably recorded in the Sahara, which she said should suffice in itself as an act of self-determination.

33. **Ms. Salma** (Sahrawi National Youth Organization and NOVA) recalled her upbringing in the refugee camps and the day when her mother received a document enabling her to vote in the referendum proposed by Morocco, saying it was then that she had first realized her unfortunate status as a refugee. Over 20 years later, she was still living in the same tent and still asking her family the same question: when will we return home? She described the activities of her organizations in the camps, where highly educated young Sahrawis gathered every weekend to talk about the future, human rights and other issues. The Sahrawi youth had remained patient to no avail and were increasingly frustrated and angered by the fact that violence always sparked an international reaction, in contrast to their peaceful demonstrations, which went unheeded. She invited anyone who so wished to visit the camps and see for themselves the true price paid by the Sahrawi people during their 40 years of peaceful waiting.

34. **Mr. Bakayoko**, speaking in his personal capacity as a teacher from Côte d'Ivoire, said that the question of Western Sahara had been one of decolonization only at the time of its occupation by Spain, during which no entity other than Morocco had ever claimed sovereignty over it and Saharan groups, moreover, had even claimed allegiance to various Moroccan sovereigns. Almost all Saharans lived freely in the Moroccan provinces, with only a minority living in the Tindouf refugee camps in Algeria. Saharan children were educated alongside Moroccan children and the development of the Saharan regions had always been a cornerstone of the policies pursued by successive Moroccan Governments. Indeed, many founding members of the Frente Polisario, as well as Tindouf camp inhabitants, had been minded to return to Morocco and play their part in its harmonious development. The question of Western Sahara was simply a geostrategic issue, and Morocco should consequently be supported in its regional empowerment efforts. Its serious and credible autonomy proposal appeared to constitute a realistic and promising basis for a political solution to the long-standing conflict over Western Sahara.

35. **Mr. Andjembe**, speaking in his personal capacity as a member of the Gabonese Senate and a free citizen of Africa, said that many Africans recognized the African character of Morocco, which was clearly bound up with its geography, history and culture. Morocco furthermore contributed to the development of the continent through its growing economic presence, while the African public showed a keen interest in the efforts of Morocco to regain its territorial integrity and consolidate its unity. In the light of the repeated failure of all United Nations proposals for a settlement of the sensitive issue of Western Sahara, including the referendum on self-

determination, the Security Council had continued since 2002 to appeal for an end to the stalemate between the parties to the conflict and for progress towards a compromise political solution. Realistically speaking, the Moroccan autonomy proposal represented that solution and should therefore serve as a basis for future negotiations for ending a conflict that had already lasted far too long.

36. **Ms. Travieso Darias** (Asociación Canaria de Juristas por la Paz y los Derechos Humanos) spoke of the work carried out by her organization in Western Sahara since 2002 in its capacity as a legal observer, saying that it had included attending illegal trials involving Sahrawis and conducting interviews with landmine victims, human rights associations not recognized by Morocco, and families of disappeared persons. It yet again condemned before the Committee the ongoing human rights abuses suffered by the Sahrawi people, which included arbitrary detention, torture, extrajudicial trials, prison deaths and secret burials, all of which constituted war crimes. It also condemned the repression and eradication of the Sahrawi people and identity. Coupled with the expulsion of MINURSO personnel and the detention of human rights observers, such events confirmed the Moroccan defiance of international law and the failure to hold Morocco to account, with States remaining silent in order to protect their own interests. As the de jure administrative power, Spain should encourage resolution of the dispute in order to halt the illegal occupation of Western Sahara and the violation of human rights, which MINURSO should furthermore be mandated to monitor.

37. **Ms. Cubas Armas** (International Association of Jurists for Western Sahara), in recalling the legal framework governing the matter of the self-determination of the Sahrawi people, pointed out that Spain remained the de jure administrative power in Western Sahara. As to Morocco, she said that its lack of competence as the de facto administrative power had been borne out by the European Court of Justice in its affirmation, inter alia, that Western Sahara was not part of Morocco. Morocco had furthermore prevented Secretary-General Ban Ki-moon from visiting the Saharan region; expelled foreign humanitarian workers, including MINURSO personnel; and arbitrarily detained and expelled international lawyers, herself included, who had been working to assist court-martialed prisoners. Morocco had continued to defy international law through its illegal occupation of Western Sahara for over 40 years, yet the international community had failed to act. It must now do so by working to restore legality in Western Sahara and respect for the human rights of the Sahrawi people. In its capacity as the de jure administrative power, Spain too must be actively involved in bringing about the final decolonization of the Territory.

38. **Ms. Sebastián García**, speaking in her personal capacity, deplored the situation of Sahrawis living in Western Sahara and of those detained in Moroccan prisons, including as a result of illegal trials and courts-martial in which harsh sentences, including life imprisonment, had been imposed. It had been legally established as far back as 2002, however, that Morocco had no jurisdiction over a territory not deemed to be Moroccan under international law. All such trials were therefore null and void, she said, and constituted a violation of international law. In a further injustice, Sahrawi political prisoners had been transferred without notice to prisons located far away from their homeland. Sahrawis must be permitted to exercise their right to self-determination, as afforded them under international law, and Morocco must free all Sahrawis who had been unlawfully imprisoned. Noting that one Sahrawi prisoner on death row had been granted refugee status by the Spanish authorities, she concluded with the reminder that it was necessary to work for peace and not simply to talk about and believe in it.

39. **Mr. Morera Arias** (Association for Peace in Western Sahara) said that peace was a human right deserving of United Nations protection and that it implied not only the absence of war but also a daily life free of terror, hate and greed. Over 40 years earlier, peace had been the first victim of the occupation of Western Sahara by Morocco, which failed to respect the principles articulated in the Universal Declaration of Human Rights by mistreating and oppressing the Sahrawi people, regarding them as unequals less worthy of life than Moroccans. As well as being in defiance of the United Nations, the Geneva Conventions and former colonies in particular, the actions of Morocco were visible in the anguish, pain and despair marking the faces of Sahrawi exiles. Through its corruption and blackmail, Morocco was ruining the friendship between Western Sahara and

other countries. He therefore appealed for earnest efforts to end the occupation of Western Sahara, which had brought only destruction and misery to a land already disadvantaged enough by its difficult environmental conditions.

40. **Mr. Maalainine** (Director of IT, Sahrawi Association in the USA) said that life in countries where citizens enjoyed freedom of speech, equality and peace was frequently taken for granted. He had come to realize as much during return visits to his home country of Morocco, where the human rights violations and constant surveillance were among the factors of daily life that prevented individuals like him from returning to live there permanently. The Moroccan Government had devoted substantial sums of money to promoting a false image of Western Sahara and the progress achieved in its development. It blocked social media on the subject and punished anyone who expressed support online for Western Sahara. At the United Nations level, there was much talk about the issue but little action. The time for change was therefore overdue.

41. **Ms. Lagzhal**, speaking in her personal capacity as a Saharan, said that the region's infrastructure had positively improved over the past 40 years owing to the amounts allocated yearly to regional development, which far exceeded those yielded from the partial exploitation of the region's natural resources. The human development indicator was consequently higher than the national average in the southern provinces, where local inhabitants were also in charge of their own affairs and institutions. With its generous funding, the advanced regionalization plan rolled out in 2015 would further promote the development of those provinces in line with the socioeconomic needs identified by the local population. Investments under the plan could not be met by revenue from the region's natural resources and the minority in the region who opposed territorial unity was therefore contradicting itself by calling on Morocco not to exploit those resources while at the same time calling for rapid social improvements and realization of their right to exploit their own resources. The fact was that inhabitants could only dispose of and benefit from those resources if they were properly exploited and monitored through the mechanisms already established by Morocco for that explicit purpose.

The meeting was suspended at 4.55 p.m. and resumed at 5 p.m.

42. **Mr. Al Khattat**, speaking in his personal capacity as leader of the Dakhla-Oued Ed-Dahab regional council, said that the unique democratization process long pursued by Morocco was now being strengthened by advanced regionalization, which was a key part of the approach to structural reform and development, with elected regional councils recognized as pivotal to national unity. The communal and regional elections held in 2015 had advanced the advanced regionalization process, which in the southern provinces took into account the local specificities and functioned as a form of self-government within the framework of Moroccan sovereignty. The process also constituted the only political solution to the conflict. He had spent time with the Frente Polisario in the Tindouf camps before returning to Morocco, where he now headed an important regional council. On his return, he had been impressed by the commitment of Saharans to Moroccan territorial integrity and to involvement in national institutions through their democratically elected representatives. Morocco had allocated immense sums to advanced regionalization, which he said would assist the transition to self-determination under Moroccan sovereignty.

43. **Mr. Boukhari** (Frente Polisario) said that it would be superfluous for him respond to the gratuitous accusations levelled against the Frente Polisario, particularly as he was available to discuss those matters further with the Committee. Meanwhile, the situation in Western Sahara had been stagnating for some 40 years. Secondly, the International Court of Justice had recognized that situation as one of decolonization and stated that the Moroccan presence in Western Sahara was an illegal occupation that must end. Thirdly, the people of Western Sahara had the right to self-determination and independence. Fourthly, the Frente Polisario must take part in all peace negotiations on behalf of that people, so many of whom had lost their lives. Fifthly, there was a road map in place for those negotiations and for discussion of the modalities for a referendum on the self-determination of the people of Western Sahara. Sixthly, Morocco had for years waged a cruel war in which it had used white phosphorus and other appalling weapons against the people of Western Sahara. In the

face of such difficult circumstances, no agreement had been possible. The Secretary-General of the Frente Polisario had indicated that the referendum was no longer an option, while Morocco had expressed doubts about its ability to "win" and had also expelled the civilian component of MINURSO in reaction to a remark by the Secretary-General of the United Nations. At great cost to all those involved, the solution to the problem had already been identified. The next step was to decide how to proceed.

44. **Ms. Pereira Sotomayor** (Ecuador) noting that the Frente Polisario was the only legitimate representative of the Saharan people in accordance with the relevant General Assembly resolutions, requested further information concerning the process of the United Nations-mandated referendum on self-determination for the people of Western Sahara; the activities of the Personal Envoy of the Secretary-General for Western Sahara, Christopher Ross; and public projects being implemented by the Moroccan Government in the Guerguerat region.

45. **Mr. Ramírez Carreño** (Bolivarian Republic of Venezuela) requested information on the political situation in Western Sahara in the light of the expulsion of MINURSO personnel, taking into account Security Council resolution 690 (1991), notably with respect to the referendum for self-determination. Bearing in mind the needs and interests of the Saharan people, he asked whether it might be possible for the Special Committee to conduct a mission to Western Sahara in order to obtain an impartial and objective view of that situation. He also requested clarification concerning the role of relevant General Assembly resolutions to the conflict, in particular resolution 34/37.

46. **Mr. Mgobozi** (South Africa), referring to the Moroccan bid to rejoin the African Union (AU) after a 32-year absence, asked Mr. Boukhari whether he believed that Morocco would be willing to accept all provisions of the AU Constitutive Act.

47. **Mr. Bessedik** (Algeria) asked whether the description of the Tindouf camps by some petitioners as a "prison" could possibly be accurate, bearing in mind the presence of numerous stakeholders in those camps, including the Office of the United Nations High Commissioner for Refugees, the World Food Programme and various NGOs, and the visits made to them by human rights bodies and indeed the Secretary-General of the United Nations. He further asked about the future of Western Sahara in the light of its status as a Non-Self-Governing Territory and the claims that it was part of the country occupying it.

48. **Ms. Scott** (Namibia) requested clarification about the human rights situation in Western Sahara and in the Tindouf refugee camps. She also asked whether the widely-supported autonomy plan proposed by Morocco was acceptable to the people of Western Sahara.

49. **Mr. Boukhari** (Frente Polisario), replying to the questions posed, said that the referendum process had stalled owing to the attitude of the Moroccan Government, which had made an unacceptable offer that was inconsistent with international law. As indicated by its most recent actions, Morocco was bent on destroying the peace process, and he expressed the hope that the Security Council, which had not yet taken the necessary steps to organize the referendum, would take action towards ending the conflict. In short, Morocco had stepped back from its agreement to hold a referendum within the parameters set in Security Council resolution 690 (1991) and was effectively the cause of the problem.

50. He agreed that a mission by the Special Committee to Western Sahara was overdue, as it had not visited the Territory since 1975 and should indeed exercise its right to gather first-hand information on the ground. The relevant General Assembly resolutions, including resolutions 34/37 and 35/19, legitimized the status of the Frente Polisario as the representative of the people of Western Sahara, meaning that the Frente Polisario was entitled to participate in all efforts to resolve the dispute. With respect to the AU Constitutive Act, Morocco would be obliged to accept all its provisions, including the principles enunciated in article 4 thereof, pursuant to which it would be required to respect the 1956 borders and withdraw from Western Sahara. Those borders had been changed on multiple occasions since that time and, in his view, a country that had violated so many agreements should not be admitted to AU membership.

51. Concerning the Tindouf refugee camps, he said that, notwithstanding the many provocative statements made during the hearing of petitioners, the bodies referred to by the Algerian representative did indeed operate in the camps and with full transparency. The Frente Polisario had furthermore invited the United

Nations to establish an office in the camps in order to monitor the human rights situation, an idea supported by the United States delegation, which had suggested that MINURSO should be mandated to perform that task.

52. Turning to the activities of the Personal Envoy of the Secretary-General for Western Sahara, he said that he was in constant communication with the Personal Envoy, who had been waiting many months, still to no avail, for Morocco to agree to a fifth round of negotiations. Morocco had continued to obstruct progress on that score by, inter alia, opposing direct negotiations. Tensions had also been quickly inflamed by the current problems in Guerguerat, he added.

53. **Mrs. Rodríguez Abascal** (Cuba), resuming the general debate, said that decolonization leading to the self-determination and independence of many peoples around the world was among the positive achievements of the United Nations, but 17 Non-Self-Governing Territories still remained. Other peoples in Territories not identified by that euphemistic description also lived in similar or worse circumstances, however, such as in Palestine, whose people had been denied the inalienable right to self-determination and an independent State, with Jerusalem as its capital, for well over half a decade.

54. Her Government defended the right of the people of Western Sahara to self-determination and reiterated its support for the efforts of the United Nations Secretary-General and his Personal Envoy for Western Sahara to find a mutually acceptable political solution to the long-standing question of Western Sahara, which would furthermore promote regional and international peace and security. It likewise reiterated its support for the legitimate sovereignty rights of Argentina over the Malvinas Islands, South Georgia Islands, and South Sandwich Islands and the surrounding maritime areas. A just and final peaceful solution to that dispute must be promptly found, including in order to avoid militarization of the South Atlantic, a declared zone of peace, which would have negative consequences for the region.

55. In the case of Puerto Rico, the United States intervention had lasted over a century and generated numerous resolutions and decisions reaffirming the inalienable right of the Puerto Rican people to self-determination and independence, in accordance with General Assembly resolution 1514 (XV). While again urging the United States to assume its responsibility for accelerating a process to that end, she noted that the true colonial situation in Puerto Rico was borne out by a new United States law that restricted the control of the Puerto Rican Government over its own budgetary and fiscal affairs, as well as by repeated assertions from the United States Attorney General that Puerto Rico remained under United States sovereignty and subject to the powers of the United States Congress. Latin American and Caribbean Heads of State and Government had, for their part, officially proclaimed the Latin American and Caribbean character of Puerto Rico, while the Non-Aligned Movement had recently reiterated its support for the self-determination efforts of Puerto Rico. She called for the humanitarian release of Oscar López Rivera, who, as recognized by the Special Committee, had long been unjustly imprisoned in the United States in connection with the Puerto Rican freedom fight.

56. As part of its efforts in solidarity with other peoples and notwithstanding the economic blockade to which it was subjected, Cuba had shared its resources with the inhabitants of Non-Self-Governing Territories, including by educating some of them in its schools and universities. She appealed for others to follow suit in order to promote collective well-being and socioeconomic development in those Territories, and reiterated the unwavering Cuban commitment to the eradication of colonialism, for which the United Nations must continue to work.

57. *Mr. Poels (Belgium) took the Chair.*

58. **Mr. Rasool** (Iraq) said that all peoples had the right to independence, to sovereignty over their territories and natural resources, and to self-determination. To subject them to alienation and foreign control was to deny their human rights, contravene the Charter of the United Nations and obstruct international peace. Colonization impeded the application of international law, as well as the progress and socioeconomic development of the peoples concerned.

59. While numerous Territories had gained their freedom and independence in recent years, the Palestinian Territories under Israeli occupation for over six decades must also be granted independence. He called on all States to support the establishment of a Palestinian State on the basis of the 1967 borders. The

cooperation of the administering Powers of the Non-Self-Governing Territories with the United Nations was essential for ensuring a peaceful transition to independence and full sovereignty. The administering Powers must furthermore continue to provide statistical and other information on the socioeconomic conditions and the political and constitutional development taking place in those Territories.

60. **Mr. Taula** (New Zealand), highlighting the constant challenges faced by Tokelau on account of its geographical isolation and tiny population, said that New Zealand worked closely with the leadership and people of Tokelau in a constitutional relationship based on partnership and focusing on ensuring that all Tokelauans, as citizens of New Zealand, received appropriate essential services. Doing so required dialogue, substantial budgetary support and effective measures for improving their lives. Recent positive developments included the introduction of a new purpose-built ferry, funded by New Zealand and fully compliant with international safety standards, that would meet the transport needs of Tokelau and improve its connectivity with the Pacific region and the outside world. New Zealand had also contracted education specialists to provide long-term assistance to Tokelau through on-site training and mentoring for school principals and teachers, which had strengthened school leadership and enhanced teaching practices, as well as learning outcomes.

61. New Zealand remained the largest provider of development assistance to Tokelau, with which it was also working to maximize revenue from the island's own resources, notably through fisheries management reform. It had supported Tokelau in implementing the island's international commitments in the area of climate change, to which the island was particularly vulnerable; it anticipated working to assist the development of adaptation response plans for Tokelau; and it was consulting with Tokelau concerning its own ratification of the Paris Agreement on climate change. New Zealand was also providing technical assistance to enable Tokelau to map out its telecommunications investment strategy, develop specifications for its mobile telephone service and build capacities in the area of public financial management.

62. Self-determination remained paused in Tokelau following the failure of the 2006 and 2007 referendums on that subject. In providing support to the island, New Zealand would therefore continue to be guided by Tokelau itself as it developed towards the future of its choosing. New Zealand valued its close association with Tokelau and was resolute in its support for its remote community of New Zealand citizens.

63. *Mr. Drobnjak resumed the Chair.*

64. **Mr. Nguyen** Doan Minh (Viet Nam) said that his delegation's support for the work of the Special Committee stemmed from the great importance it attached to the universal goal of decolonization and the exercise of the legitimate right to self-determination by peoples under colonization and alien dominance, which were key to reducing conflict and promoting economic development. Viet Nam fully supported the decolonization process pursued by the United Nations, which regrettably remained incomplete, notwithstanding the accomplishments of the Special Committee. He therefore called for greater cooperation, including with relevant United Nations bodies and international organizations, aimed at speeding up the decolonization process in the remaining 17 Non-Self-Governing Territories and at ensuring respect for human rights and fundamental freedoms.

65. The dialogues between those Territories and their administering Powers had achieved welcome progress of late but should nonetheless be pursued in a more effective and constructive manner. The United Nations had a role to play in ensuring that economic and other activities carried out by the administering Powers took into account the legitimate interests of the peoples concerned, promoted their social, economic and cultural development, and assisted them in the exercise of their inalienable right to self-determination until they acquired independence in line with the Charter and relevant resolutions of the United Nations. He reaffirmed his delegation's commitment to cooperate in that endeavour.

66. **Mrs. Mwingira** (United Republic of Tanzania) said it was regrettable that progress in removing the 17 Non-Self-Governing Territories from the Committee's agenda was slow and painful. Her country therefore continued fully to support people under colonial rule as they aspired to exercise their right to self-determination in accordance with the Charter and

relevant resolutions of the United Nations. In reaffirming those resolutions and recalling that the Third International Decade for the Eradication of Colonialism was under way, she called on all administering Powers to enable the peoples of those Territories to exercise their right to self-determination, including independence, at the earliest opportunity.

67. Expressing concern over the lack of progress achieved in settling the question of Western Sahara, she urged the parties concerned to engage in serious negotiations under the guidance of the United Nations and the AU, without preconditions and in good faith, to reach a mutually acceptable and permanent political solution. To that end, efforts towards the organization of a referendum must be intensified, with the Security Council assuming an objective and unbiased role in the matter and demonstrating the political will needed to bring it to a close. She reaffirmed Tanzanian support for all peoples under colonial rule in seeking to exercise their inalienable right to self-determination, including independence.

68. **Mr. Bouah-Kamon** (Côte d'Ivoire) called on the parties to the conflict in Western Sahara to pursue their efforts, in accordance with the relevant Security Council resolutions, for a just, lasting and mutually acceptable political solution. Urging the United Nations likewise to pursue its own efforts to promote successful peace negotiations, he said that a political option that took into account the interests of the peoples of the region appeared to offer the only way forward to resolving the dispute. The status quo was unacceptable and of no benefit to either of the parties, which should therefore be realistic and show compromise by pursuing negotiations under United Nations auspices, in accordance with Security Council resolution 2285 (2016).

69. Applauding the efforts of Morocco to find a definitive solution to the question of Western Sahara, he reiterated firm support for the Moroccan autonomy proposal and welcomed the country's bid to rejoin the AU. As stated in Security Council resolution 2285 (2016), a political solution and enhanced cooperation among the Member States of the Maghreb Arab Union would contribute to stability and security in the Sahel region. He reaffirmed support for that and other relevant Security Council resolutions aimed at creating conditions conducive to improving confidence.

70. **Mr. Ten-Pow** (Guyana) recalled that, in recognition of the inalienable right to self-determination enshrined in various United Nations and other instruments, over 80 former colonies, including Guyana, had been granted independence since 1945. Some two million people across the globe, however, were still unable to exercise that right, a fact that demanded greater efforts to promote continued dialogue among the administering Powers of the remaining Non-Self-Governing Territories, the Special Committee and the colonized peoples themselves, with a view to advancing the decolonization processes under way. Colonization deprived colonized peoples of their right to pursue their own economic, social and cultural development, was an affront to human dignity and worth, had serious implications for the international community, and was a grave injustice. The continuing existence of 17 Non-Self-Governing Territories should therefore be a matter of concern to all Member States and prompt their renewed commitment to ensuring that the peoples of those Territories were able to exercise the same rights of equality and self-determination as others around the world.

71. His Government welcomed and supported the efforts of the Secretary-General and his Personal Envoy for Western Sahara to bring about a lasting, peaceful and mutually acceptable solution enabling the people of the only remaining Non-Self-Governing Territory in Africa to exercise their long-recognized right to self-determination and independence, and called on the parties involved to engage constructively with a view to achieving measurable progress on that score in a spirit of mutual respect and respect for the relevant United Nations provisions and resolutions on decolonization. It also urged Member States of other regions, including Latin America and the Caribbean, where colonialism still had a presence, to take decisive steps towards its termination. More generally, the onus lay on all Member States to do their utmost to ensure that the Third International Decade for the Eradication of Colonialism did not end in 2020 without measurable achievements in the quest to end decolonization worldwide in all its manifestations. The Guyanese Government pledged its full support for that goal.

72. **Mr. Hilale** (Morocco), speaking in exercise of the right of reply, said that at an earlier meeting the Venezuelan representative had made inappropriate remarks relating to Western Sahara that called for

clarification. First, he had confused the principles of self-determination and of independence. No link between the two was made in the Charter of the United Nations, which covered the matter of self-determination in Chapters XI and XII. In that regard, he cited Article 73 b of the Charter, which stated that the peoples concerned must be assisted in "the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement." He also added that in its resolutions 1541 (XV) and 2625 (XXV), the General Assembly had identified four equal and distinct options for self-determination, specifically independence, association, integration and any other political status freely determined, without mentioning the mechanisms for arriving at any of them.

73. Secondly, in speaking about the AU position on Western Sahara, the Venezuelan representative had overlooked the fact that 28 African Heads of State had officially requested that the fictitious Sahrawi Arab Democratic Republic be suspended from AU membership. Having seen through the pretence of that entity, many countries, most recently Jamaica and Zambia, were now withdrawing their recognition of that entity, with undoubtedly more to follow.

74. Thirdly, in referring to the representatives of the Saharan population, the Venezuelan representative meant those who had declared themselves to be the representatives of the Saharan people over 40 years previously, without any democratic process. The true representatives of the Saharan people, however, were those who had been democratically chosen in the regional elections, held in Morocco in 2015, to manage freely the affairs of the two respective regions. Indeed, the participation of the Saharan people in all Moroccan elections, including the imminent parliamentary elections, was in itself an exercise in self-determination.

75. Fourthly, the clean-up operation in the Guerguerat region of the Moroccan Sahara had also facilitated a crack-down on the prevalent drugs and other forms of trafficking in that region, which had in turn enabled the resumption of MINURSO land and air patrols halted for security reasons. It was hardly surprising, however, that someone from a country with notoriety in the worldwide press as a major centre for international drug trafficking should have expressed unease at that clean-up operation.

76. Lastly, with respect to the Venezuelan representative's disrespectful description of Western Sahara as the last colony in Africa, the truth was that Morocco had recovered the Sahara from under Spanish occupation, whereas Venezuela, in asserting a territorial claim over one of its neighbours, an independent country and a Member State of the United Nations whose natural resources it coveted, was set to become the first colonizer of the twenty-first century. Furthermore, as the last dictatorship in Latin America, Venezuela had no legitimate grounds on which to criticize Morocco or its recovery of Western Sahara, where the Saharan population exercised their rights fully and freely, without fear or interference. The same could not be said of Venezuela, where political leaders were abducted, imprisoned and tortured, innocent protesters were killed in the streets of the capital and the population suffered from shortages of food and medicine, saved from hunger and disease only thanks to the assistance of the Colombian authorities.

77. **Mr. Ramírez Carreño** (Bolivarian Republic of Venezuela), speaking on a point of order, said that he had no wish to discuss bilateral differences, false allegations or the arbitrary treatment of the people of Western Sahara by Morocco. The fact was that no country should be permitted to make offensive remarks about his country and that the current discussion must be restricted to the subject of colonialism, concerning which he was always ready to enter into a discussion with any country interested in the Venezuelan point of view.

78. **Mr. Hilale** (Morocco) repeated that the Venezuelan representative had levelled unwarranted criticisms at Morocco in recent days. His delegation, however, had refrained from interrupting him out of the customary Moroccan respect for democracy, freedom of expression and differences of opinion. Only those who were afraid of hearing truths and criticisms about their country would seek to prevent them from being spoken.

79. **Mr. Ramírez Carreño** (Bolivarian Republic of Venezuela), again speaking on a point of order, said that he did not intend to emulate the undiplomatic and unreasonable conduct displayed by his Moroccan counterpart when he had sabotaged discussions in the

Special Committee. He urged the Chair to fulfil his duty by not permitting offensive remarks to be made against his country.

80. **Mr. Hilale** (Morocco) appealed to the Venezuelan representative to show him the same courtesy he had always shown to that representative, and concluded by saying that daily reports in the United States media confirmed that the quality of life for citizens of the Sahara was infinitely better that it was for citizens in the last dictatorship in Latin America.

81. **Mr. Perry** (United Kingdom), speaking in exercise of the right of reply in response to the statement made by the representative of Cuba, said that the United Kingdom had no doubt about its sovereignty over the Falkland Islands, South Georgia, the South Sandwich Islands and the surrounding maritime areas. Nor did it have any doubt about the principle and the right of the Falkland Islanders to self-determination, as enshrined in the Charter of the United Nations, article 1 of the International Covenant on Civil and Political Rights, and article 1 of the International Covenant on Economic, Social and Cultural Rights, by virtue of which they freely determined their political status and freely pursued their economic, social and cultural development. The relationship of the United Kingdom with the Falkland Islands and with all of its overseas territories was a modern one based on partnership, shared values and the right of the people of each Territory to determine its own future.

82. **Mr. Mazzeo** (Argentina), speaking in exercise of the right of reply and reiterating the statements made by the President of Argentina at the opening of the current General Assembly session and by the Argentine Minister for Foreign Affairs before the Special Committee in June 2016, said that the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas were an integral part of Argentine national territory and were under illegal occupation by the United Kingdom. The recognition of the sovereignty dispute in that regard had led to the adoption of some 10 General Assembly resolutions, in addition to resolutions of the Special Committee and the Organization of American States, urging the two countries promptly to resume negotiations for a peaceful and lasting solution to the controversy. The United Kingdom claim was based on the element of self-determination alone, which was inapplicable to the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. The interests of the inhabitants of the Malvinas Islands were moreover protected by General Assembly resolutions and the Argentine Constitution. He reaffirmed the legitimate right of the Argentine Republic to sovereignty over all parts of its national territory, which included those Islands, as well as the South Georgia Islands and South Sandwich Islands and the surrounding maritime areas.

83. **Mr. Ramírez Carreño** (Bolivarian Republic of Venezuela), speaking in exercise of the right of reply, said that the Moroccan representative was engaged in a strategy of provocation so as to divert attention from the real issue under discussion. The truth was that Morocco continued to occupy the Territory of Western Sahara in contravention of all international law and United Nations resolutions, and was right to feel embarrassed about its status as a colonial power waging a bloody and cruel war against the Saharan people. Moreover, Morocco could not change the fact that the Frente Polisario was recognized as a legitimate representative of the Saharan people in General Assembly resolutions 34/37 and 35/19 in particular. His Government recognized the Sahrawi Arab Democratic Republic as a sovereign nation and would continue to support its right to self-determination leading to independence.

84. The operation in the Guerguerat region constituted a violation of the ceasefire of 1991 and was unconnected with any anti-trafficking efforts. Furthermore, to describe Western Sahara as the last colony in Africa was consistent with the AU resolutions adopted with respect to the self-determination and independence of that Territory and flouted by Morocco, which was the reason for its absence from the AU membership. As a current member of the Security Council, Venezuela was well aware of the French opposition to any resolution addressing the question of Western Sahara. It called for a referendum on self-determination to enable the people of Western Sahara to decide their own future and free themselves from illegal occupation. Venezuela was furthermore a sovereign nation and would continue to speak out on the matter from the perspective of international law.

85. **Mr. Hilale** (Morocco), speaking in further exercise of the right of reply, said that the Declaration on decolonization also addressed the self-determination of peoples living under dictatorship and whose elected representatives were killed, imprisoned or disappeared simply because they opposed the regime. One such example was Henrique Capriles, a former presidential candidate and opposition leader who had long been imprisoned.

86. **Mr. Ramírez Carreño** (Bolivarian Republic of Venezuela) suggested that his Moroccan counterpart should check his information carefully before making provocative and ignorant claims. Henrique Capriles was currently serving as a governor in Venezuela; he was not in prison.

87. **Mr. Hilale** (Morocco), resuming the exercise of his right of reply, said he was delighted to hear that Mr. Capriles was no longer in prison. He still wished to raise the cases, however, of Laurent Saleh, an activist who was serving a 27-year sentence in an underground prison in Caracas, and Horatio Blanco who had died in prison.

88. **Mr. Ramírez Carreño** (Bolivarian Republic of Venezuela), speaking on a point of order, again appealed to the Chair to ensure compliance with the rules of procedure, saying that he should be strict in applying them equally to all speakers. The Moroccan representative must not be permitted to make offensive and inaccurate comments about his country, particularly when they were not relevant to the subject under discussion, namely decolonization.

89. **The Chair** said that he was respecting the rules of procedure by granting the requests of those wishing to speak, but he could not make judgement calls about the offensiveness of every remark made from the floor. He requested the representative of Morocco to stick to the items at hand, which did not include Venezuela.

90. **Mr. Hilale** (Morocco), again resuming the exercise of his right of reply, said that the Venezuelan representative was surely aware that the Moroccan delegation, too, had the right to reply to any criticisms or false allegations that he might make against Morocco in any United Nations forum or from his position as Chair of the Special Committee. The point he wished to make, however, was that decolonization also applied to dictatorships.

91. **Mr. Ramírez Carreño** (Bolivarian Republic of Venezuela), expressing regret for any offence caused, said that Morocco was perhaps referring to the compromise position adopted by his country towards the decolonization process. He emphasized that Venezuela was fully engaged in its work as Chair of the Special Committee, insisting in that role on compliance with all resolutions, including those pertaining to Western Sahara. It would continue to support efforts in connection with the 17 Non-Self-Governing Territories and such cases as Gibraltar, the Malvinas Islands and Puerto Rico. Indeed, it could never be other than actively committed to decolonization in order to end what was a shameful state of affairs.

The meeting rose at 6.30 p.m.